

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES HEMINGWAY,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 01-1520
)	Judge Alan N. Bloch/
STANLEY FALOR, Medical)	Mag. Judge Amy Reynolds Hay
Director and physician,)	
MORRIS HARPER, physician and)	
ROBERT SOLARCZYK, physician)	
assistant,)	
)	
Defendants.)	

AND NOW, this 26th day of September, 2005, after the plaintiff, Charles Hemingway, filed an action in the above-captioned case, and after a Motion for Summary Judgment was submitted by defendants, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, upon consideration of the objections filed by plaintiff, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that Defendants' Motion for Summary Judgment is GRANTED;

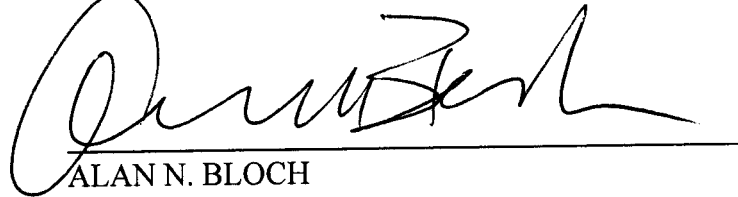
IT IS FURTHER ORDERED that summary judgment is entered in favor of the Defendants as to Plaintiff's federal law claims against Defendants;

IT IS FURTHER ORDERED that the state law claims are dismissed without prejudice to being brought in state court;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules

of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

IT IS FURTHER ORDERED that final judgment of this Court is entered pursuant to Rule 58 of the Federal Rules of Civil Procedure.

A handwritten signature in black ink, appearing to read 'Alan N. Bloch', is written over a horizontal line.

ALAN N. BLOCH
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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